

CALENDAR ITEM

C59

A 11

S 3

04/23/15
PRC 7785.1
V. Caldwell

**GENERAL LEASE – RECREATIONAL
AND PROTECTIVE STRUCTURE USE**

APPLICANT:

Thomas Liebner, as Trustee of Trust “A” created under The Liebner Trust dated June 19, 1999

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in Steamboat Slough, adjacent to Solano County Assessor’s Parcel No. (APN) 0177-070-020 and 3464 Snug Harbor Drive on Ryer Island, near Walnut Grove, Solano County.

AUTHORIZED USE:

Continued use and maintenance of an existing single-berth boathouse and walkway previously authorized by the Commission, and use and maintenance of an existing uncovered floating boat dock, deck, boat lift, four wood pilings, one unattached wood piling, gangway, and bulkhead not previously authorized by the Commission.

LEASE TERM:

10 years, beginning April 23, 2015

CONSIDERATION:

Single-Berth Boathouse, Walkway, Uncovered Floating Boat Dock, Deck, Boat Lift, Four Wood Pilings, One Unattached Wood Piling, and Gangway:
\$236 per year, with an annual Consumer Price Index adjustment.

Bulkhead: The public use and benefit, with the State reserving the right at any time to set a monetary rent if the Commission finds such to be in the State’s best interests.

SPECIFIC LEASE PROVISIONS:

Liability insurance in an amount no less than \$1,000,000 per occurrence.

CALENDAR ITEM NO. **C59** (CONT'D)

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. On September 19, 2000, the Commission authorized a Recreational Pier Lease to Frank Vargas and Celia M. Vargas for a single-berth boathouse and walkway adjacent to APN 0177-070-020. That lease expired on January 6, 2011.
3. On February 3, 2011, ownership of the upland at 3464 Snug Harbor Drive was transferred to Thomas Liebner, as Trustee of Trust "A" created under The Liebner Trust Dated June 19, 1991. The uncovered floating boat dock, deck, boat lift, four wood pilings, one unattached wood piling, gangway, and bulkhead were constructed many years ago but were not previously authorized by the Commission. The Applicant has applied for a General Lease – Recreational and Protective Structure Use.
4. The bulkhead will mutually benefit both the public and the Applicant. The bank of Steamboat Slough will have additional protection for the river channel from wave action provided at no cost to the public.
5. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.
6. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBITS:

- A. Land Description
- B-1. Site and Location Map
- B-2. Site and Location Map

CALENDAR ITEM NO. **C59** (CONT'D)

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

SIGNIFICANT LANDS INVENTORY FINDING:

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

AUTHORIZATION:

Authorize issuance of a General Lease – Recreational and Protective Structure Use to Thomas Liebner, as Trustee of Trust “A” created under The Liebner Trust dated June 19, 1999, beginning April 23, 2015, for a term of 10 years, for the continued use and maintenance of an existing single-berth boathouse and walkway previously authorized by the Commission; and use and maintenance of an existing uncovered floating boat dock, deck, boat lift, four wood pilings, one unattached wood piling, gangway, and bulkhead not previously authorized by the Commission as described on Exhibit A and shown on Exhibit B-1 and Exhibit B-2 (for reference purposes only), attached and by this reference made a part hereof; consideration for the existing single-berth boathouse, walkway, uncovered floating boat dock, deck, boat lift, four wood pilings, one unattached wood piling, and gangway: \$236 per year with an annual Consumer Price Index adjustment; consideration for the bulkhead: the public use and benefit, with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State’s best interests; and liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 7785.1

LAND DESCRIPTION

Three parcels of tide and submerged land situate in the bed of the Steamboat Slough, lying adjacent to Swamp and Overflowed Land Survey 544 patented October 17, 1878, County of Solano, State of California and more particularly described as follows:

PARCEL 1 – DOCK

All those lands underlying an existing uncovered floating boat dock, boat lift, gangway, deck and four wood pilings lying adjacent to that Parcel Two described in Exhibit "A" of Grant Deed, recorded February 3, 2011 in Document No. 201100010910 in Official Records of said County.

TOGETHER WITH any applicable Impact Area(s).

ALSO TOGETHER WITH all those lands lying immediately beneath any existing bank protection structure adjacent to said parcel.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of said Steamboat Slough.

PARCEL 2 – UNATTACHED PILING

A circular parcel of land underlying an existing wood piling lying adjacent to that Parcel Two described in Exhibit "A" of Grant Deed, recorded February 3, 2011 in Document No. 201100010910 in Official Records of said County.

PARCEL 3 – BOATHOUSE

All those lands underlying an existing boathouse lying adjacent to that Parcel One described in Exhibit "A" of Grant Deed, recorded February 3, 2011 in Document No. 201100010910 in Official Records of said County.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of said Steamboat Slough.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared 03/10/15 by the California State Lands Commission Boundary Unit



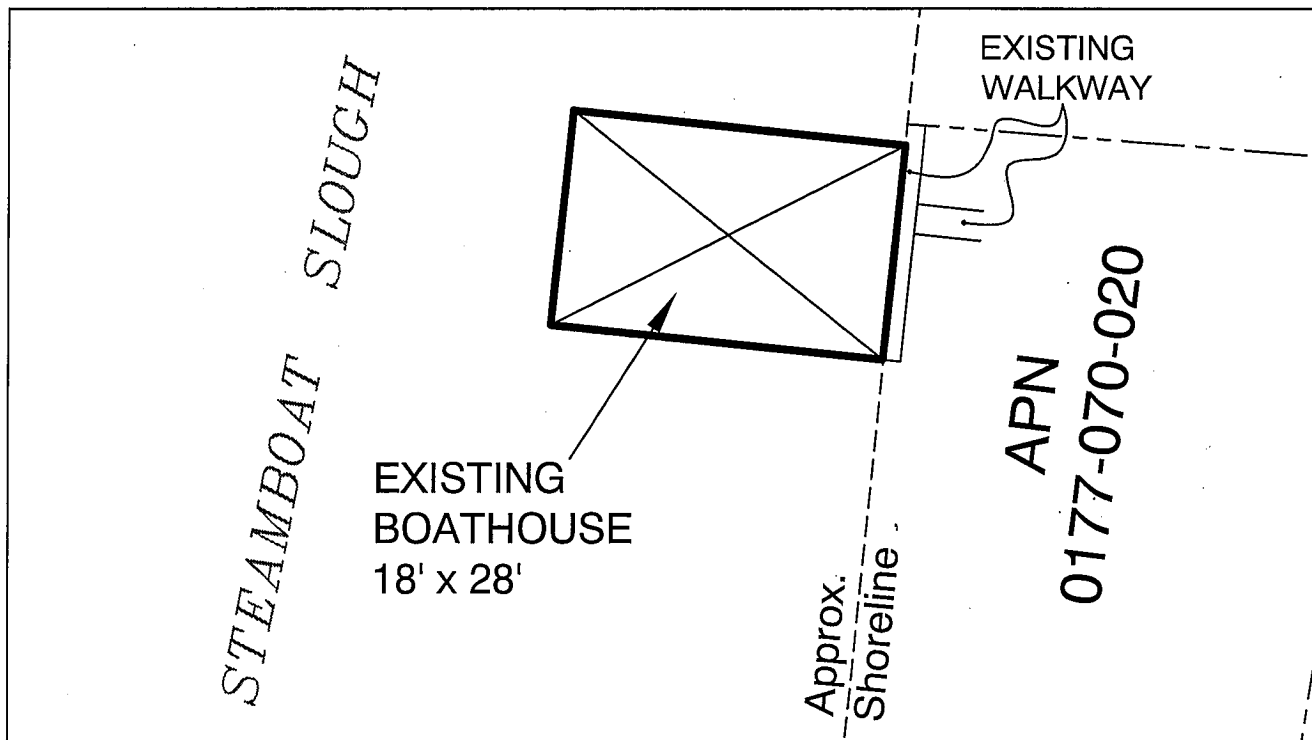
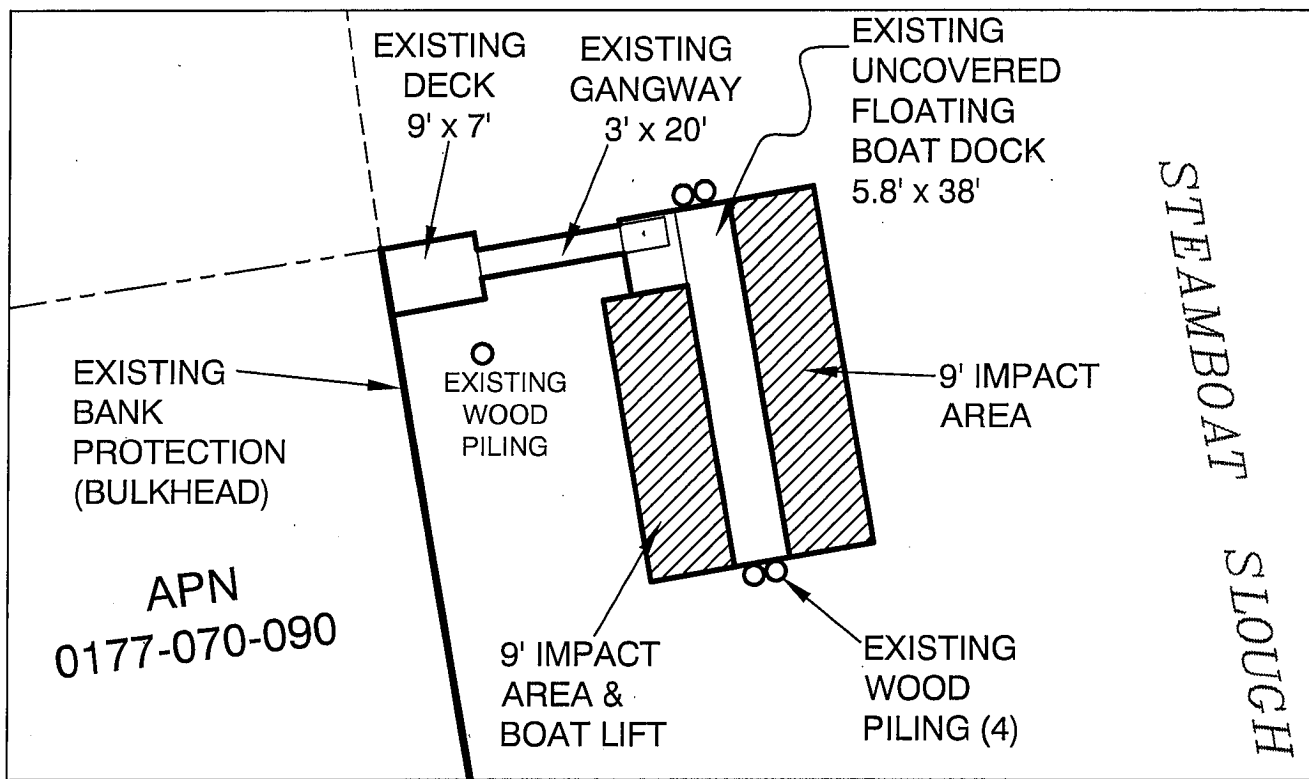


EXHIBIT A

Page 3 of 3

TS 03/10/15

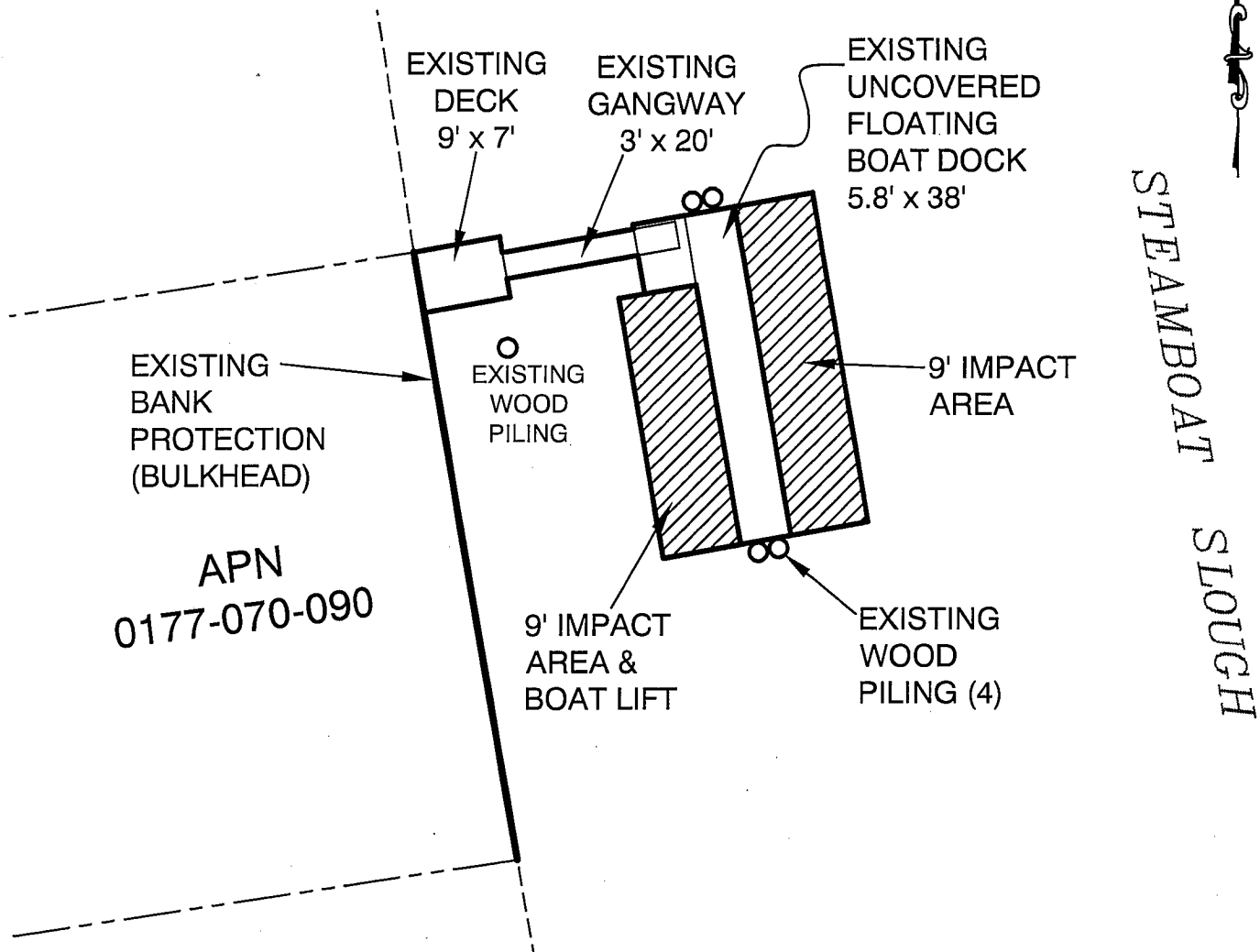
LAND DESCRIPTION PLAT
PRC 7785.1, LIEBNER TRUST
SOLANO COUNTY

CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

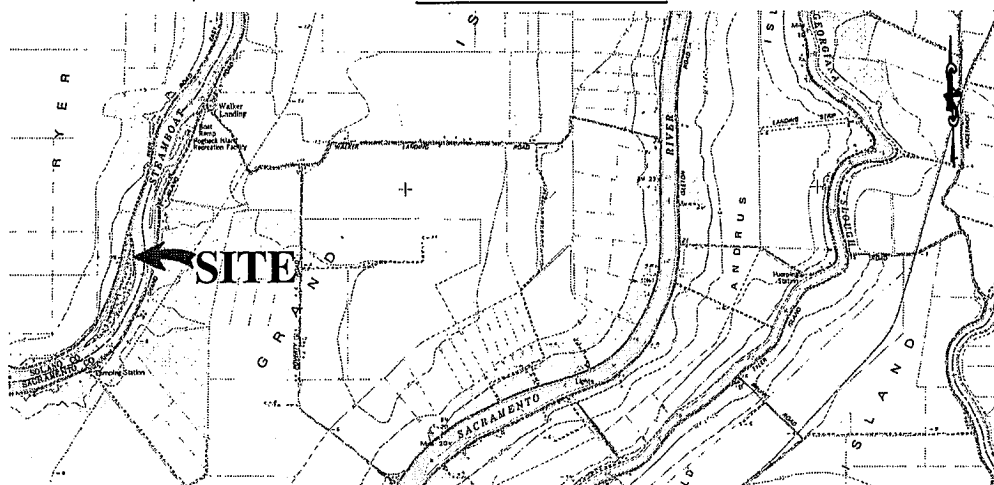
SITE



3464 SNUG HARBOR DRIVE, NEAR WALNUT GROVE

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

Exhibit B-1

PRC 7785.1
LIEBNER TRUST
APNs 0177-070-090, -020
GENERAL LEASE -
RECREATIONAL AND
PROTECTIVE STRUCTURE USE
SOLANO COUNTY



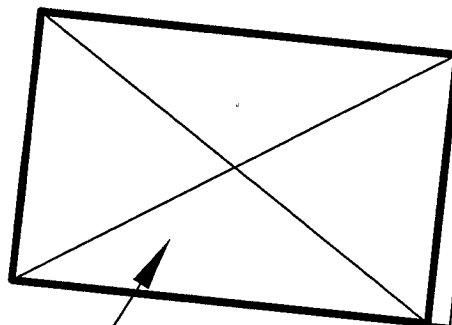
TS 03/10/15

NO SCALE

SITE

STEAMBOAT
SLOUGH

EXISTING
BOATHOUSE
18' x 28'



EXISTING
WALKWAY

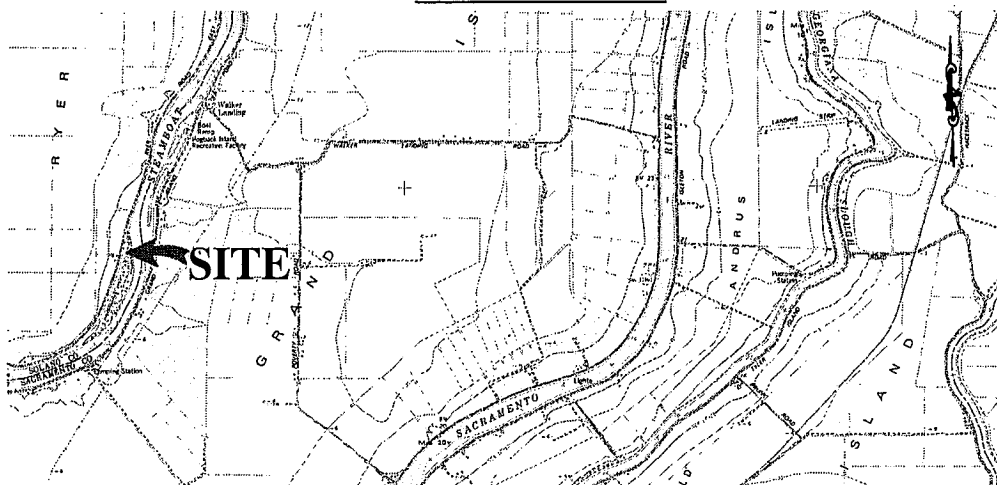
Approx.
Shoreline

APN
0177-070-020

APN 0177-070-020, NEAR WALNUT GROVE

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

Exhibit B-2

PRC 7785.1
LIEBNER TRUST
APNs 0177-070-090, -020
GENERAL LEASE -
RECREATIONAL AND
PROTECTIVE STRUCTURE USE
SOLANO COUNTY



TS 03/10/15